

DOC #

16 MISC 0171

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----  
In re: Motions for Judgment on  
the Pleadings in Social Security  
Cases  
-----

M 10-468

STANDING ORDER

U.S. District Court  
S.D. of N.Y.  
2016 APR 28

-----  
In order to ensure the efficient and timely disposition of cases filed under 42 U.S.C. § 405(g) or 42 U.S.C. § 1383(c)(3) seeking judicial review of final decisions by the Commissioner of Social Security denying requests for social security benefits, it is hereby

ORDERED, that in all Social Security cases hereafter filed under 42 U.S.C. § 405(g) and 42 U.S.C. § 1383(c)(3), the defendant shall within 90 days after service file the certified transcript of administrative proceedings, which shall constitute the defendant's answer, or otherwise move against the complaint; and it is further

ORDERED that, unless otherwise ordered by the judge to whom the case is assigned, in cases where the plaintiff is represented by counsel, the plaintiff shall file a motion for judgment on the pleadings within 60 days of the date on which the defendant files the certified transcript of the administrative proceedings which motion submission must contain a full recitation of the relevant facts and a full description of the underlying administrative proceedings; the defendant shall within 60 days after plaintiff's

submission, file and serve its response to the plaintiff's motion for judgment on the pleadings which shall state any additional or contrary facts deemed necessary to resolve the case; and the plaintiff shall file any reply within 21 days after service of the answering papers; and it is further

ORDERED, that in cases where the plaintiff is appearing pro se,\* the defendant shall file its motion for judgment on the pleadings within 60 days of the date on which the certified transcript of administrative proceedings have been filed. The motion must contain a full recitation of the relevant facts and a full description of the underlying administrative proceeding. The plaintiff shall file an answering brief within 60 days of the filing of the defendant's motion. The defendant may file a reply within 21 days thereafter; and it is further

ORDERED, that memoranda in support of or in opposition to any dispositive motion filed under this Standing Order shall not exceed 25 pages in length and reply memoranda shall not exceed 10 pages in length. A party seeking to exceed these page limitations must apply to the Court for leave to do so, with


---

\* This procedure shall also apply when plaintiff is represented by pro bono counsel.

copies to all counsel, no fewer than seven days before the date upon which the memorandum must be filed.

Dated: New York, New York

April 20, 2016

  
\_\_\_\_\_  
Loretta A. Preska  
Chief United States District Judge